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6/16/08IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLANDFILED
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JUN 16 2008

UNITED STATES OF AMERICA

v.

THOMAS WILLIAMS, # 34655-037

Criminal Action No. WDQ-02-236
(ECF Exempt)

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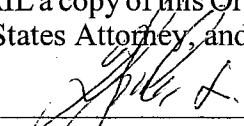
ORDER

Before the Court is a Motion for Writ of Coram Nobis filed by Thomas Williams asking the Court to rescind the May 19, 2008, Order appointing counsel for preliminary review of his Motion for Reduction of Sentence under Amendment 706 to the United States Sentencing Guidelines. A writ of error coram nobis is unavailable where, as here, a petitioner is serving the sentence under attack, see *United States v. Morgan*, 346 U.S. 502, 511 (1954), and the writ will be denied. As it appears however, that Williams requests reduction of sentence pursuant to Amendment 599 of the Sentencing Guidelines, the Court will rescind the Order to Appoint Counsel.

Amendment 599 to the Guidelines became effective on November 1, 2000. Williams, who was sentenced on December 9, 2002, to 214 months imprisonment after he pleaded guilty to bank robbery and related firearms offenses. Sentence was imposed two years after Amendment 599 took effect. Williams has therefore has already been sentenced subject to the provisions he seeks to apply here.

Accordingly, IT IS this 16th day of July 2008, by the United States District Court for the District of Maryland hereby ordered that:

1. The 18 U.S.C. § 3582 Motion (Paper No. 30) IS DISMISSED as moot;
2. The Order to Appoint Counsel (Paper No. 31) IS RESCINDED;
3. The "Motion for Writ of Coram Nobis" (Paper No. 32) IS DENIED; and
4. The Clerk SHALL MAIL a copy of this Order to Defendant and to the Federal Public Defender, the United States Attorney, and the United States Probation Office.


William D. Quarles, Jr.
United States District Judge